

REMARKS

This Amendment is submitted in response to the Office Action dated January 29, 2003. Claims 3 and 4 are pending in the application, claims 1, 2 and 5 having been previously cancelled without prejudice to the subject matter therein.

The Examiner has rejected claims 3 and 4 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor had possession of the claimed invention. Specifically, the Examiner asserts that the phrase "wherein the cross position is rounded" in claim 3 is not supported by the specification. The phrase to which objection is made has been deleted from the claim. Therefore, it is respectfully requested that the rejection of claim 3 (and claim 4 by dependency) be withdrawn.

Claims 3 and 4 are rejected under 35 U.S.C. § 103(a) as being obvious over JP-04158997 (JP '997) in view of JP-04158998 (JP '998) and Ludwig (U.S. Pat. No. 3,745,869). The rejections of Claims 3 and 4 are respectfully traversed. Claim 3 has been amended to recite $R/1.5 < A \leq 2R$. The primary reference of JP '997 discloses in its abstract a relationship of $C \leq (\frac{1}{2})R$, where C is described as the length of the inner end of the chip induction surface 17 protruding frontward in a cutting direction. Conversion of the reference numerals in JP '997 to the present invention, $C \leq (\frac{1}{2})R$ becomes $A \leq (\frac{1}{2})R$. Therefore, contrary to claim 3 which recites that $A > R/1.5$, JP '997 discloses that $A \leq (\frac{1}{2})R$.

The Examiner's rejection states that it would have been obvious to make the dimension C (A in the present application) of JP '997 fall within the range of $R/1.5 < C \leq 2R$ in view of the teaching of JP '998. However, this goes against the teachings of JP '997 which states that $C \leq (\frac{1}{2})R$. Therefore, it would not have been obvious to one skilled in the art to combine secondary reference JP '998 with the primary reference JP '997. It is respectfully requested that the rejection of claim 3 (and claim 4 by dependency) be withdrawn.

U.S. Patent Appln. S.N. 09/597,159
By: Katsumi NAKAHARA

Attorney Docket No.: 000004.00659
Page 5

Claim 4 has been amended to correct a minor matter of form. The amendment to claim 4 is not believed to substantively affect the meaning or scope of the claim, and none is intended.

As all grounds of objection and rejection have been addressed and overcome, entry of this Amendment and issuance of a Notice of Allowance of Claims 3 and 4, as now presented, are respectfully solicited.

In the event there are any questions relating to this Amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Please charge any shortage or credit any overpayment of fees to Deposit Account No. 23-2185 (000004.00659). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully Submitted,

Katsumi NAKAHARA

By: Michael D. White
Michael D. White
Reg. No. 32,795

Customer No. 002779
BLANK ROME LLP
The Watergate
600 New Hampshire Ave., N.W.
Washington, D.C. 20037
Telephone: (202) 772-5800
Facsimile: (202) 572-1400